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ABSTRACT

These guidelines represent the partial completion of the first phase of a three-phase comprehensive study of discipline in the schools of Pennsylvania. In preparing this document, the state Task Force on Student Responsibility and Discipline attempted to present a practical, reasoned approach to the complex issue of student conduct and to provide clear direction for schools as they deal on a daily basis with the difficult problem of student discipline. The task force outlines a four-level student misconduct/disciplinary response structure intended to serve as a basis for discipline policies in Pennsylvania schools. The four levels classify student misbehavior ranging from minor misconduct, such as tardiness, through acts which result in violence to another person or to property, or which pose a direct threat to the safety of others. The suggested procedures and disciplinary options are geared to match the seriousness of each incident of misbehavior. The task force emphasizes that these guidelines should be tailored to characteristics and needs of each individual school. It also includes an examination of some major disciplinary issues, such as the use of suspension, and makes appropriate recommendations. (Author/DS)

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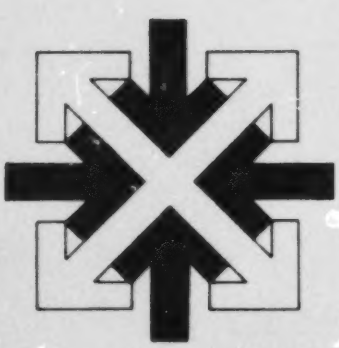

PREPARED BY
THE COMMISSIONER'S
TASK FORCE ON STUDENT
RESPONSIBILITY
AND DISCIPLINE

EA 009 961

PENNSYLVANIA DEPARTMENT OF EDUCATION OCTOBER 1976

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PREFACE

These guidelines represent the partial completion of the first phase of a three-phase comprehensive study of discipline in the schools of the Commonwealth. In preparing a document of this type, the Task Force on Student Responsibility and Discipline attempted to present a practical, reasoned approach to the complex issue of student conduct and to provide clear direction for schools as they deal on a daily basis with the difficult problem of student discipline.

Several of the major objectives outlined by the Commissioner for Basic Education in his charge to the task force have not, however, been realized in this guideline statement. Missing is a detailed treatment of the options to the traditional disciplinary actions of suspension and expulsion and a thorough consideration of the full range of alternative disciplinary programs. To fully meet these objectives, the task force is presently preparing an addendum to these guidelines which will contain examples of a wide range of disciplinary techniques, programs and practices that have proven successful in the schools. The distribution of this addendum will mark the completion of Phase I of the study.

At the time of the publication of these guidelines, a second task force has been created to deal specifically with the most serious types of student misconduct, including acts of violence and vandalism. This activity represents Phase II of the discipline study.

The same group which prepared this document will undertake a final third phase of the study. Early next year the Task Force on Student Responsibility and Discipline will be reconvened to identify positive programs for creating more responsible student behavior and to explore methods of preventing discipline problems before they occur.

Prior to the start of the 1977-78 school year, all three phases of the comprehensive study on discipline should be concluded, and the various reports and recommendations should be published for distribution.

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INTRODUCTION

For the past several years there has been a growing concern in the educational community over what has been viewed as a general deterioration in student conduct. All types of discipline problems appear to be on the increase, and the most serious ones, which place the safety and welfare of students and teachers in jeopardy, are growing at an alarming rate. At the same time, policies and practices which for years have been effective in dealing with misconduct and in shaping responsible student behavior no longer seem to have the desired impact. Similarly educators often find these traditional disciplinary responses to be totally inappropriate for the type and seriousness of infractions with which they must now deal. Simply stated, educators find themselves in a situation in which acts of student misconduct have been increasing while the repertoire of effective disciplinary responses have been shrinking.

These major concerns of educators over the general deterioration in student conduct have been further reinforced by a Congressional Report which calls attention to the growing number of violent acts, such as rape, murder, extortion and gang warfare, going on in the schools. This same report places a $500,000,000 national price tag on acts of student vandalism. It is not surprising, therefore, that a 1975 Gallup Poll reported that school violence and vandalism ranked 8th among the public's educational concerns.

It was against this backdrop of mounting concern on the part of educators and the general public alike that Frank Manchester, Commissioner for Basic Education, called for the creation of a special task force to deal with problems of responsibility and discipline. In discussing the need for such an undertaking, Dr. Manchester noted:

> Last year, the state developed a statement on student rights and responsibilities that outlined constitutional rights of student clearly protected as a result of state and national court actions. In addition, guidelines were provided in these areas where there was no clear legal mandate. The statement focused principally on the rights of students in an attempt to respond to actual or pending court cases.
>
> The responsibilities component of the statement consisted only of a brief set of generalizations about student responsibilities. It now seems appropriate to address more specifically the issue of what kind of behavior should be expected of students in the Commonwealth secondary schools and what the schools can do to produce more responsible behavior on the part of students. The responsibilities component, in short, needs to be developed.
>
> The need for action in this area is buttressed by the continued press reports of increased violence and disruptive behavior in the schools and by recent studies of the use of suspensions in the schools such as the one conducted by the Children's Defense Fund. The schools must move now, before community or court actions limit their ability to respond.

With the assistance of the Pennsylvania Association of Secondary School Principals, 21 school districts were chosen to participate on the task force. These districts were selected to insure appropriate representation on the basis of size, geographic location and type of school community. The task force was charged with the major responsibility of preparing a set of guidelines which could be used by school districts to improve their discipline systems and to develop more responsible student behavior. Through the preparation of guidelines, the task force would attempt to:

- Prepare a framework which school districts could use in developing a discipline system or student conduct code.
- Recommend a structure for categorizing types of student misbehavior and for applying *"fair and equitable"* disciplinary responses to these categories.
- Broaden the overall range of disciplinary alternatives available in the school.
- Suggest options to the traditional disciplinary actions of suspension and expulsion.
- Establish standards of appropriate or desirable student behavior.
- Present model programs which have proven effective in developing greater student responsibility and positive behavior.
- Identify resources outside of the school capable of handling the most serious types of student misconduct.
- Present methods for creating a more effective relationship between the school and the juvenile justice system.

After completion of a first draft of the guidelines, the task force was expanded to include representatives from several of the professional educational organizations. This 33-member group reviewed and revised the draft, putting it into final form acceptable for distribution to the schools.

In that regard, it seems unnecessary to acknowledge the part the task force played in the development of this publication. With the exception of editing and printing by department staff, these guidelines and recommendations reflect the total effort of this group of dedicated individuals. Special note should be made, however, of the unique contribution of a three-member writing team appointed by the task force to translate the general ideas developed in the group's deliberations into the specific language contained in the accompanying pages. The writing team included:

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STUDENT MISCONDUCT/DISCIPLINARY RESPONSE STRUCTURE

Central to any effective school discipline system is that element which presents the categories of student misbehaviors or infractions as well as the prescribed disciplinary responses or punishments associated with each. This element serves several important functions. First, it is through its articulation that students, parents and school staff come to learn which types of student behavior are unacceptable and to understand the consequences of these acts.

In addition to communicating to the school community important information about the discipline system, this pairing of misbehaviors and disciplinary responses also serves as a *point of reference* for policy making. All practices and procedures relating to student conduct and discipline should be directly tied to this element. For example, the disciplinary referral and records system, the hearing procedures and all of the day-to-day practices associated with the actual application of discipline by school staff should originate in this infraction/response component.

Finally, it is through the careful development of these categories of misconduct and their appropriate pairing with a range of sound disciplinary responses and options that the school attempts to insure that its disciplinary practices and procedures will be consistent, reasonable, fair and equitable. This aspect of *fairness and reasonableness* takes on added significance at this particular time, when school disciplinary actions are being challenged and are emerging as the central issue in a growing body of litigation.

As an acknowledgment of the importance it placed on this aspect of discipline system development, the Commissioner's Task Force on Student Responsibility and Discipline undertook as its first activity the preparation of a Student Misconduct/Disciplinary Response Structure. This scheme, presented in outline form in the accompanying chart (see page 6 and 7), was designed to provide schools with direction in developing a new student discipline system or to serve as a reference point for others in conducting a critical review of an established system.

In preparing this structure, the task force worked through a process which could be recommended for use by local committees engaged in similar activity at the district level. Using information supplied by a sample of 50 secondary schools on the incidence of student misconduct and typical discipline responses, the task force:

1. Compiled a fairly comprehensive list of typical student misbehaviors and disciplinary responses.

2. Assigned individual misbehaviors to clusters on the basis of their relationship to one another.

3. Refined these clusters into clearly defined misconduct categories.

4. Assigned appropriate disciplinary responses to each misconduct category.

5. Tied these categories together into a logical structure having clear implications for further policy development.

As a result of this five-step process, the task force was able to develop the accompanying chart. This chart defines four levels of misconduct, provides six or eight typical examples of misbehaviors which fall into each and lists in a rough priority order the responses most appropriately used at each level. The task force members did not intend the list of examples and options to be all-inclusive or applicable to all schools. The members strongly urge each school to generate its own list of student offenses and to pair these with the appropriate disciplinary options available in that unique setting.

Categories of Misconduct

In reviewing this chart, it quickly becomes apparent that it represents a continuum of misbehaviors based on the seriousness of the act and the frequency of occurrence. Therefore, the infractions classified at LEVEL I are relatively minor and involve acts which only *minimally disrupt* the orderly conduct of the educational process. Often these LEVEL I misbehaviors take the form of simple classroom disturbances which do not materially interfere with the learning of other students or which involve minor infractions of general school rules and represent no threat to the health and safety of others. By contrast, LEVEL IV misconducts involve *criminal acts* and are so serious that they represent a *direct* and *immediate threat* to the welfare of other individuals. These acts always require the intervention of law enforcement authorities.

At the two levels between these extremes, the seriousness of the misconduct remains a primary classification factor, but the frequency of occurrence also plays a significant role in determining the most appropriate disciplinary response. For example, minor misconduct appropriately classified at LEVEL I could move to LEVEL II and subsequently to LEVEL III if the act persisted after intervention had been attempted at a lower level. Although the seriousness of the infraction remains the same, the *frequency of occurrence* requires that it be classified at a higher level where a different set of disciplinary responses could be applied.

In terms of seriousness, most LEVEL II misbehaviors could probably be characterized as *"victimless infractions,"* since they generally do not involve the welfare of others but could have a serious effect on the student's own education. On the other hand, misconducts in LEVEL III take on added gravity because they frequently involve a violation of the personal or property rights of others.

Discipline Procedures and Response Options

Accompanying the categories of misconduct in the chart are the procedures and disciplinary options suggested for use at each level. Procedures are viewed as *minimal actions* which must take place at each level. Options, on the other hand, include the range of disciplinary alternatives which might appropriately be applied to the infraction. By way of illustration, LEVEL III infractions call for several procedural actions, among which are the requirement of a disciplinary conference with the parent and restitution for any loss or damage resulting from the misconduct.

Along with these actions is a list of options which may be applied in certain situations to remediate or punish any act of misconduct in that level. Since the options included in the chart have been selected so that they fit the types of misbehaviors, the structure begins with those which are the least punitive and progresses through the levels to those which are more severe. Similarly, it should be noted that the amount of *formality, flexibility* and *discretion* exercised in applying these disciplinary responses also changes markedly from LEVEL I to LEVEL IV. As the relative seriousness of the act or infraction increase, the responses and options take on a more formal, limited and fixed character.

The previously noted attempt to match the seriousness of the misconduct with the severity of the disciplinary action would suggest that it would be reasonable in some instances to use options from a lower level to deal with higher level infractions. The converse, however, is not recommended. *Higher level options are not recommended for use at lower levels.* Those more severe options should be employed for less serious infractions only when the offense is repeated or when the lower level options fail to correct the misconduct. In the case of LEVEL IV, the gravity of the misconduct and the requirement to involve law enforcement authorities serve to limit the number of options available to the administrator and, in large part, preclude the use of most options prescribed for the lower levels.

Other Dimensions of the Structure

In addition to the misconduct/response classification scheme, the accompanying structure has several other important dimensions. Two of these are not readily apparent in reading the chart and therefore need to be highlighted.

Staff Responsibilities

In order for the misconduct/response structure to be translated into an effective discipline system, *each member of the school staff must thoroughly understand the structure and must accept responsibility for making the system work.* Teachers who assume that their role is strictly to teach and that student discipline is someone else's job are as much in error as administrators who hold that the good teacher can handle all problems of student discipline without any outside help.

Although every staff member plays a part in the overall system, the structure presented on the chart offers implicit direction as to the individuals who would have some primary responsibility for the disciplinary action at each level. At LEVEL I this responsibility falls mainly on the teacher, since misbehavior at this level usually occurs in the classroom or other settings under the teacher's control or supervision. Occasionally, the teacher will have to call on other people, such as the pupil personnel service staff, for assistance, but the responses at this level usually do not require the intervention of the administration.

By their nature, the infractions at LEVELS II and III almost always require that a building administrator be involved in the action. At these levels, misbehaviors are serious enough or occur often enough to demand special attention from someone other than the teacher. In addition, acts such as truancy or class-cutting require the use of responses which are usually not available to instructional staff. Very often, support staff are involved at these levels, as are resource persons from community agencies.

Although the building principal would almost always be involved with LEVEL IV infractions, these are so serious and the discipline response so severe that they would require the direct involvement of the chief school administrator, a special disciplinary committee or the board of school directors. As noted earlier, offenses at this level usually go beyond the capacity of the school discipline system and almost always draw upon law enforcement authorities.

Discipline Referral and Record Keeping

It was not possible to include in the chart much information on the referral and record-keeping procedures essential to the effective use of this four-level structure. However, certain assumptions are made about these procedures in the ways the levels are defined. For example, some type of referral process would be required to systematically bring unresolved LEVEL I misconducts to the attention of the administration for action at LEVEL II. A disciplinary referral of this type (from staff to administrator) would typically contain a statement of the problem and its possible cause, the steps which have been taken to correct the misbehavior and any recommendations for action by the administrator.

Similar referral and record-keeping procedures would need to be established for each level. The systematic development and use of discipline referrals and records insures that an accurate history of the problem will be available as part of any hearing or appeal process. It further demonstrates that a system of prescribed policies and procedures are used in arriving at fair and equitable disciplinary actions. More important, however, is the part these procedures play in remediating the problem. By having the school staff fully aware of the ways in which disciplinary referrals are handled at each level, efforts to correct the misconduct may be initiated promptly. Similarly, by maintaining accurate discipline records, we increase the chance that a full range of options will have been used in the effort to change the student's behavior.

STUDENT MISCONDUCT/ RESPONSE

LEVELS	EXAMPLES
I. *Minor* misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school. These misbehaviors can usually be handled by an individual staff member but sometimes require the intervention of other school support personnel.	Classroom distrubance Classroom tardiness Cheating and lying Abusive language Nondefiant failure to complete assignments or carry out directions
II. Misbehavior whose *frequency* or *seriousness* tends to disrupt the learning climate of the school. These infractions, which usually result from the continuation of LEVEL I misbehaviors, require the intervention of personnel on the administrative level because the execution of LEVEL I disciplinary options has failed to correct the situation. Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.	Continuation of unmodified LEVEL I misbehavior School Tardiness Truancy Smoking in unauthorized areas Using forged notes or excuses **Disruptive** classroom behavior Cutting class
III. Acts directed agains persons or property but whose consequences *do not seriously endanger* the health or safety of others in the school. These acts might be considered criminal but most frequently can be handled by the disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for remediating the situation in the best interests of all students.	Fighting (simple) Vandalism (minor) Possession/use of unauthorized substances Stealing Threats to others
IV. Acts which result *in violence* to another's person or property or which *pose a direct threat* to the safety of others in the school. These acts are clearly criminal and are so serious that they always require administrative actions which result in the immediate removal of the student from school, the intervention of law enforcement authorities and action by the board of school directors.	Unmodified LEVEL III misconducts Extortion Bomb threat Possession/use/transfer of dangerous weapons Assault/battery Vandalism Theft/possession/sale of stolen property Arson Furnishing/selling/possession of unauthorized substances

DISCIPLINARY STRUCTURE

PROCEDURES	DISCIPLINARY OPTIONS/RESPONSES
. There is immediate intervention by the staff member who is supervising the student or who observes the misbehavior. . Repeated misbehavior requires a parent/teacher conference; conference with the counselor and/or administrator. . A proper and accurate record of the offenses and disciplinary action is maintained by the staff member.	Verbal reprimand Special assignment Behavioral contract Counseling Withdrawal of privileges Time-out room Strict supervised study Demerits Detention
. The student is referred to the administrator for appropriate disciplinary action. . The administrator meets with the student and/or teacher and effects the most appropriate response. . The teacher is informed of the administrator's action. . A proper and accurate record of the offense and the disciplinary action is maintained by the administrator. . A parental conference is held.	Teacher/schedule change Modified day Behavior modification Time-release program Social probation Peer counseling Referral to outside agency Paddling In-house suspension Transfer
. The administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequences. . The administrator meets with the student and confers with the parent about the student's misconduct and the resulting disciplinary action. . A proper and accurate record of offenses and disciplinary actions is maintained by the administrator. . There is restitution of property and damages.	Temporary removal from class Social adjustment classes Homebound instruction Alternative program Temporary out-of-school suspension Full out-of-school suspension
. The administrator verifies the offense, confers with the staff involved and meets with student. . The student is immediately removed from the school environment. Parents are notified. . School officials contact law enforcement agency and assist in prosecuting offender. . A complete and accurate report is submitted to the superintendent for board action. . The student is given a full due process hearing before the board.	Expulsion Alternative schools Other board action which results in appropriate placement (see discussion of expulsion issue)

ISSUES AND RECOMMENDATIONS

The task force clearly intended the misconduct/response structure to serve as more than a mere illustration or simple classification scheme. The members designed it in sufficient detail that it could be used in schools as a *foundation or reference point* for the development of a total discipline system. They also hoped that the structure would be sufficiently comprehensive and flexible to meet the variety and range of problems which exist from district to district.

It was clear to the members from the start that developing a structure with both wide applicability and adequate specificity would be difficult. Above all, they were aware that no scheme, however carefully conceived, could incorporate enough of the necessary elements to cover all of the disciplinary problems which could arise in all of the schools of the Commonwealth. To eliminate all ambiguity, some members felt that a glossary, which would more specifically define the terms used in the document, should be included. Others felt that certain concepts should be presented in greater detail. Ultimately, it was the consensus of the group that, while these might be desirable in certain instances, their overall effect would be to limit the flexibility by the structure and remove from the school district some of the discretion it must exercise in creating a structure designed to meet its needs.

Consequently, during the task force discussion, there arose a number of important issues and concerns to which the classification structure did not appear to apply directly or about which the model provided no recommended course of action. In attempting to deal with this limitation, the task force developed the following section, which presents a brief overview of several of these issues and recommends procedures which could be used in conjunction with the misbehavior/response structure.

Suspensions

Issue

Out-of-school suspension has been, and continues to be, one of the most widely used disciplinary actions. Heavy reliance on this form of punishment persists in the face of mounting public concern and despite certain restrictions resulting from the student rights movement and court action.

Regarding the general use of out-of-school suspension, educators appear to be in fundamental agreement on three points. First, they concur that this singular disciplinary response is probably overused and often applied to situations where the seriousness of the miscounduct does not merit putting the student out of school. Second, they affirm the long acknowledged fact that this form of disciplinary action has little impact on many students. Evidence pointing to the repeated use of out-of-school suspension with the same students shows that it often fails to correct the misconduct to which it is being applied. Finally, even though strong arguments are being developed to eliminate this response, educators are in general agreement that the out-of-school suspension must be retained as a disciplinary option.

In defending this practice, they note that out-of-school suspensions are quite effective in deterring and remediating certain student misbehaviors and that they are essential in certain situations as a *"cooling off"* procedure or as a way of removing a threat to the safety and welfare of other students.

Recommendations

1. Each school district should critically examine its policy and practice relating to the use of out-of-school suspensions. This review should attempt to determine if the infractions or misbehaviors warrant the student's removal from school. *As a rule of thumb, out-of-school suspensions would be most appropriately used for misbehaviors which materially disrupt the educational process or which pose a threat to the safety and welfare of others.* This form of discipline might be employed for less serious offenses which recur, but seldom in response to the first instance of the misbehavior.

This recommended review might also be used to assess the degree to which out-of-school suspensions are effective in reducing or eliminating the incidence of student misconduct. Where suspensions are repeated and obviously are having little impact, some other disciplinary option should be sought.

2. Where out-of-school suspensions are frequently used or are found to be generally ineffective, the district should create an in-school suspension option. While in-school suspension differs from the regular program in that there is a lack of movement from class to class and a loss of privilege, such as intramurals, it nevertheless provides the student with planned and supervised instruction in the basic subjects. Since an in-school suspension program would allow the student to remain in school and to maintain a program of studies while under supervision, this response would be considered less punitive than removing the student from school and, therefore, would be appropriate for a wider range of infractions.

Repeated Infractions

Issue

Every school discipline system must be able to cope with the problem of repeated misbehaviors by the same student. Often these infractions are relatively minor but take on greater significance because they persist after disciplinary action has been taken. Administrators usually respond to this situation in one of two ways.

First, they may deal with the repeated misconduct by applying the same remedy over and over, often in progressively larger doses. By way of example, a student may receive five or six suspensions for repeated infractions of the smoking rules, or accumulate 40 or 50 nights of detention as a result of continued tardiness. Very often, the penalty accumulates to a point where it cannot be readily enforced.

Second, they may attack the problem by applying progressively harsher responses to each recurrence of the misbehavior. In this way the responses rapidly grow in severity to a point that they no longer bear any relationship to the relative seriousness of the offense.

In preparing the misbehavior/response structure, the task force attempted to provide guidance on the issue of repeated infractions. The scheme therefore provides for the reclassification of misbehaviors which continue after intervention. The task force felt, however, that additional recommendations were required to assist schools in implementing this aspect of the model.

Recommendations

1. Each district should consider establishing limits on the number of times a disciplinary response, such as detention or suspension, will be used with a student. *Responses which fail to correct the misbehavior should be discontinued.* When these limits are reached, other prescribed corrective actions should be initiated. Repeated offenders would merit more severe responses, but some cut-off point should be determined so that the most punitive actions are reserved for the most serious acts and not applied to cases of minor chronic misbehavior.

2. To deal effectively with repeated infractions, a wide range of disciplinary options must be available. Each school district should examine the range of disciplinary options available to deal with chronic offenders. Where these options appear limited, an effort should be made to expand the number. In addition, schools should develop procedures for the sequential application of these options based on the frequency of the misbehavior. This procedure would prescribe the action which would be taken for the first, second or third occurrence of the infraction.

Dealing with Criminal Violations (LEVEL IV)

Issue

There is considerable confusion about the role of the school in handling misconduct which is clearly criminal. Some educators attempt to deal with very serious offenses by using the disciplinary mechanisms of the school without involving law enforcement agencies. Others take no action against the student and delegate full responsibility to law enforcement agencies. They feel that disciplinary action by the school against students who are turned over to the authorities for legal action might constitute *"double jeopardy."* In these cases, students awaiting a hearing or a trial remain unpunished by the school. Allowing these students to remain in their regular classes creates a situation which could result in a threat to the health and safety of others in the school as well as a general deterioration of student morale and discipline.

Recommendations

1. Due to the seriousness of LEVEL IV offenses, the student's continued presence in school would constitute a threat to other persons and would have a negative impact on the general morale of the school. *Verified LEVEL IV misconduct should result in the immediate removal of the student from the school, pending a hearing before the board.*

2. Schools are obligated to report these offenses to the appropriate law enforcement agency and to assist these agencies in investigating and prosecuting the offender. In cases of assault and/or battery on a student or school employe, it is incumbent upon these persons to press charges. The district should encourage this practice and give full support to the aggrieved individual in the legal pursuit of the matter.

3. A student charged with LEVEL IV misconduct should be given a full due process hearing before the board, which should take prompt and appropriate action. Since disciplinary action by the school in criminal matters does not constitute *"double jeopardy,"* the board need not await the disposition of the hearing or trial.

Expulsion

Issue

Expulsion is generally considered to be the most severe penalty the school can impose. Since expulsion involves the termination of the educational right, full due process is required and the action is often subject to challenge in the courts. With the adoption of the State Board Regulations on Student Rights and Responsibilities, there has been a growing reluctance on the part of some districts to use the disciplinary action of expulsion. At the same time, however, there appears to be a growing number of acts of misconduct which would be serious enough to merit this action. In districts which do not have alternative programs to deal with students who have committed LEVEL IV infractions or who pose a clear danger to the welfare and safety of others, the student is allowed to remain in school or is expelled without any provisions for further education.

Recommendations

1. Districts should develop discipline alternatives which will enable them to remove dangerous students from the school program and provide them with some form of education. These alternatives should be designed so that they could be used in place of expulsion and also offered to students who have been expelled and are unable to secure an education.

2. Where students commit serious acts of misconduct which warrant their removal from school to protect the welfare of others and where no alternative forms of discipline are available, the district has an obligation to initiate expulsion.

Restriction on Extracurricular Activities As a Discipline Option

Issue

In responding to student misconducts, schools frequently use the disciplinary action which prevents the offending student from participating in social functions of the school or in extracurricular or cocurricular activities. This form of disciplinary response is employed in dealing with a wide range of student misbehavior, involving both serious and minor infractions.

Parents are often strenuously opposed to this form of sanction and assert that the student's educational rights cover all activities conducted by the school. They further contend that restricting the student from participation in activities, such as athletics, could jeopardize the student's chances for furthering his or her education and could have a decided impact on career opportunities later in life.

Where these restrictions are practiced, they are frequently not supported by the total staff. Faculty sponsors of extracurricular activities are quick to point out that these prohibitions only penalize students who have chosen to engage in an activity. Students who do not participate in social or extracurricular functions have to be punished differently for the same offense. The critics of this disciplinary practice would urge that restrictions on student participation in these activities be limited to offenses directly involving the social or extracurricular function, not as a penalty for unrelated misconduct.

Recommendations

1. Participation in social or extracurricular activities should be considered a *privilege rather than a right.* Since individuals who engage in these activities frequently have the honor of representing their school before the public, the school has an obligation to see that these students exhibit the type of behavior and responsibility befitting this privilege.

2. Although these disciplinary restrictions may be particularly effective in deterring student misconduct, a school should limit the use of these to severe offenses which require stringent disciplinary action. In addition, a school should publish beforehand those actions which will result in this type of prohibition so that students, parents and the entire school community are aware of the consequences of certain types of misconduct.

3. School personnel should only impose restrictions on students participating in social or extracurricular activities where they are clearly provided for and regulated by school policy. Where there are violations of school rules which call for such prohibition as a disciplinary response, great care should be taken to see that this action is uniformly and consistently applied to *all* offending students. In developing this policy, the administration and the board should seriously consider the ramifications of this form of discipline on the student's overall development.

Responsibility and Discipline for Students Beyond Compulsory School Age

Issue

In Pennsylvania, 17 has been designated as the age at which students are no longer required by law to attend school. This age, however, is in no way intended to delimit the student's right to an education, which may be exercised until the individual reaches the age of 21. The four years between age 17 and 21, therefore, represent a period in which students remain in school not because they are compelled to do so, but rather because they freely choose to be there.

A school has a right to expect that as students approach the age of 17, they should exhibit more mature behavior and in turn be more accountable for the consequences of their actions. New rights and freedoms acquired as the student approaches adulthood always carry with them an added measure of responsibility.

This would seem to be especially true of 18-year-olds, who now have the right to vote and to exercise other important prerogatives accompanying the age of legal majority.

There are always, however, a small minority of older students who fail to accept this responsibility. Some of the disciplinary actions available for younger students are inappropriate for older ones, especially those actions which might be applied in cases of chronic nonattendance, tardiness or violations of a less serious nature.

In short, this issue may be summarized in the form of a question. Do the school's rules of student conduct and discipline apply equally to students 17 years old or older and, therefore, beyond compulsory attendance age?

Recommendations

1. School rules and disciplinary procedures should apply equally to all students. Even though students over the age of 17 are not required to be in school, they are still entitled to all of the due process guarantees available to other students.

2. In dealing with students of compulsory attendance age, the school has the obligation to exhaust all other disciplinary options before the student is excluded from school. For older students who should assume more responsibility for their behavior, frequent or serious misconduct of the same type could warrant a singular action by the board for the individual's removal from school.

3. Where schools hold higher expectations concerning the behavior of older students or apply disciplinary options in a different manner for this group, these facts should be clearly conveyed to students and parents.

Consistency and Fairness in Discipline

Issue

Certain very obvious parallels exist between our criminal justice system and the discipline system in our schools. Whether they are administered in the courtroom by the judge or in the classroom by the teacher, both systems attempt to bring about responsibile behavior by carefully defining unacceptable acts and by prescribing their consequences.

The common elements shared by the criminal justice and school discipline systems give rise to similar problems. One is the issue of consistency. A major area of controversy in our justice system centers around the broad discretion allowed in the sentencing of offenders. This considerable latitude not only results in identical violations receiving very different punishments, but also produces what many feel are mismatches between the seriousness of the offense and the severity of the penality.

It is not uncommon to hear students and parents criticize the application of discipline in the schools on the same basis. They assert that the rules for student conduct are ambiguous and inconsistently administered and that the penalties for breaking these rules are not applied equally to all students.

Even though the concept of equal justice for all is often difficult to realize in the school situation, every effort should be made to assure that an evenhanded, reasonable and consistent approach to discipline is always practiced. These factors are essential if the system is to command the respect and confidence necessary to make it work.

Recommendations

The task force acknowledges the need for teachers and administrators to exercise discretion in dealing with student misconduct. A rigid system of mandatory discipline responses for certain offenses seldom proves workable because it fails to recognize the specific circumstances surrounding some instances of misconduct. On the other hand, discipline administered on a case-by-case basis with considerable flexibility of response is often inconsistent, inappropriate and inequitable.

In consideration of the limitations inherent in either of these approaches to discipline, the task force makes the following recommendations:

1. Conduct and discipline codes should explicitly define unacceptable student behavior and should carefully describe the disciplinary actions attached to each incident of misconduct. Where several options might be appropriate for the same type of offense, the circumstances under which each would be applied should be noted.

2. Fixed responses should be prescribed for certain offenses. The more serious kinds of misconduct generally should elicit the same type of action in each instance. Discretion in administering the recommended punishment should be applied only in unusual circumstances.

3. Every effort should be made to avoid situations which imply preferential treatment in the administration of discipline. Policies and practices should apply equally to all students.

4. All school staff members should know the student conduct and discipline code and should use it consistently in all cases of student misconduct. Violations of the code should never be ignored, and all offenders should be dealt with in a manner consistent with the code.

DEVELOPING A LOCAL STUDENT DISCIPLINE AND CONDUCT CODE

There is little consensus among educators concerning the sociological and educational factors which have contributed to the deterioration of student conduct and the general breakdown in discipline in some schools. It is not surprising, therefore, that there are many opinions regarding the necessary steps which must be taken to restore positive and responsible behavior on the part of students.

Complex as this problem appears, most individuals who have had to deal with it on a day-to-day basis are in agreement concerning one essential step which must be taken in seeking a solution. This essential step involves *the development and application of a soundly conceived comprehensive code for student conduct and discipline.*

It was within this context that the task force chose as its first priority the development of a set of guidelines which would help schools prepare their own codes. The format of this document suggests only a framework around which more complete local policies and practices could be constructed to meet the unique needs and expectations of each school community.

In urging the preparation of a student discipline and conduct code by each district, the task force members did not labor under the illusion that this activity represented the ultimate answer to the problem of student discipline. In a situation where the causes are many and the cures few, where progress must be realized in small increments, they reasoned that the development of a constructive document on discipline and conduct represented one activity which could prove singularly effective in a variety of local settings.

The task force members felt that several implementing recommendations were required to assist local districts in their efforts if the guidelines were to have the desired impact.

1. Each school district is urged to review its existing discipline system and to frame a code of student conduct consistent with the basic concepts outlined in the guidelines. Consistency should be balanced, however, with the demands of the local situation so that the integrity of the local school and the relevancy of the discipline code will be maintained.

2. In framing the new conduct code, there should be involvement of the entire school community, ranging from total administrative commitment to student participation. Above all, real participation by the school's faculty is an essential ingredient in the overall success of the project.

3. The finished product should not be reduced to a catalague of "thou shalt nots" but should also stress positive behaviors expected of the responsible student. Practical standards rather than idealistic generalizations should be the measure here.

4. The board should adopt the code as school policy. Prior to board adoption, however, the document should be presented to the school solicitor for review and should be broadly circulated to the school community for its reaction.

5. Upon adoption, the code should be made available to all members of the school community in order to familiarize them with the contents of the document and the lines of authority in the school's discipline system. A full program of staff in-service should be held prior to the code's implementation.

CONCLUSION

As a parting note, there was some concern expressed by all members of the task force that some may choose to interpret these guidelines in a narrow perspective without taking into account the ever-present ramifications in individual disciplinary situations as they arise in a local school district. Not one task force member saw the guidelines as prescribing an ironclad system of infractions and punishments to be meted out in a computer-like fashion by the school's administrators. Rather, these guidelines were seen as an impetus towards the development of local student conduct codes designed to create a spirit of fairness and equity in the teachers and administrators and to nurture a positive student attitude toward discipline which would enhance the overall learning climate in the schools. In underlining the role of the principal, the task force members saw no substitute for the good building administrator who has the ability to translate the guidelines into action with a genuine sense of compassion and openness towards faculty and students alike.

Finally, the task force members would like to envision the proposed guidelines as helping good administrators and teachers to make difficult judgments in dealing with errant behavior on the part of a minority of students and thus freeing them to get about the business of educating the truly responsible students.